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TO RUEHC/SECSTATE WASHDC 3395

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SENSITIVE

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SUBJECT: TURKMENISTAN: NEW LAW ON PLANT QUARANTINE -- KEEPING THE  
BAD BUGS OUT

REF: Ashgabat 567

¶1. (U) Sensitive, but unclassified. Not for Internet distribution.

¶2. (U) SUMMARY: The new law on plant quarantine provides a legal framework for the implementation of plant quarantine and phytosanitary controls to protect the territory of Turkmenistan from pests, plant diseases and weeds. The responsibilities are divided between the Cabinet of Ministers, the State Inspection Agency on Plant Quarantine, and local governments. The law specifies provisions for export, re-export, import and transit of phytogenic products. The new law replaced the Soviet-era law that Turkmenistan had been using. END SUMMARY.

¶3. (U) On August 15, the Parliament of Turkmenistan adopted the Law on Plant Quarantine. The main objectives of the law are: 1) protection of the territory of Turkmenistan from pests, diseases, and weeds from abroad, which can cause damage to the national economy; 2) timely detection, localization and destruction of pests, plant diseases and weeds, as well as prevention of contamination of new areas; 3) state control over the implementation of the legislation; and 4) implementation of plant quarantine with regard to production, procurement, transportation, storage, processing, sale and use of agriculture and other phytogenic products.

¶4. (U) The law states that the Cabinet of Ministers, the State Inspection Agency on Plant Quarantine, and local governments share responsibility for implementing the plant quarantine. The Cabinet of Ministers determines state policy in the area of plant quarantine and phytosanitary control, approves national programs on plant quarantine and phytosanitary control, approves programs for international cooperation in the area of plant quarantine and phytosanitary control, approves regulations on plant quarantine, makes a list of quarantine items, and establishes quarantine zones in two or more provinces.

¶5. (SBU) The State Inspection Agency on Plant Quarantine analyzes

phytosanitary risks, coordinates the implementation of phytosanitary regulations, and inspects crop plants and wild flora during transportation, as well as stored and transported plants and phytogenic products. It collects information on the spread of quarantine items and provides that information to interested parties. It also establishes quarantine zones and regimes, develops quarantine provisions for the import of seeds, plants, phytogenic products, and manufactured goods from other countries, and regulates their transportation, storage and use within the territory of Turkmenistan. In the early nineties, the State Inspection Agency on Plant Quarantine was a separate agency, which reported directly to the Cabinet of Ministers. In 1999, former president Niyazov reduced the agency's staff and made it part of the Ministry of Agriculture.

¶6. (U) The law specifies the following items as subject to quarantine: 1) seeds, planting material and any phytogenic product that can transmit items subject to quarantine; 2) pathogenic agents that cause plant diseases; 3) collections of insects, pathogenic plant agents, seeds and herbaria; 4) agricultural machines and tools for tillage, vehicles, containers, goods manufactured from phytogenic materials, and soil specimens that can transmit items subject to quarantine; 5) land and facilities of enterprises, companies and state farms that grow, store, process, transport and sell phytogenic products, as well as farmland and forests, regardless of their departmental affiliation and type of ownership.

¶7. (U) The law allows import and transit of products that are subject to quarantine if an importer provides an import quarantine permit and phytosanitary certificate, issued by the authorized quarantine service of an exporting country, 30 days prior to arrival

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of goods into Turkmenistan.

¶8. (SBU) According to a contact at the Ministry of Agriculture, three government agencies are engaged in the registration of imported phytogenic items: the Ministry of Health is responsible for registration of food products; the Ministry of Agriculture is responsible for the registration of animal feed; and the Ministry of Nature is responsible for the registration of plants used for city landscaping.

¶9. (SBU) Another contact at the State Veterinary Service told Embassy staff that Turkmenistan has signed an agreement between the Central Asian states, under the auspices of the UN's Food and Agriculture Organization, on controlling the cross-border spread of animal diseases, but has not joined the WTO.

¶10. (SBU) According to a local source, Ashgabat residents that had purchased cushions made in Iran recently found that their homes were infected by house bugs. Apparently, the shredded cardboard inside the cushions was infested with the bugs. According to a Plant Quarantine specialist, goods brought into the country by private shuttle traders do not require quarantine certificates because they are considered personal luggage.

¶12. (SBU) COMMENT: This law on plant quarantine is the first such law that Turkmenistan adopted since its independence. The new law may be a starting point for bolstering the status of the State Inspection Agency on Plant Quarantine and improving the quality of imported fruits, vegetables, and plants. Although there was discussion about addressing genetically modified crops in this law, since that issue does not fall under the mandate of the State Inspection Agency for Plant Quarantine, it was not included. Genetically modified food was addressed, however, in the Law on Food Safety adopted earlier this year. (reftel) END COMMENT.

CURRAN